

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 97-851

December 2, 1997

SHERRY WALKER V. CENTRAL MAINE
POWER COMPANY
Appeal of Consumer Assistance
Division Decision #4574 (filed
October 29, 1997)

ORDER

WELCH, Chairman; NUGENT and HUNT, Commissioners

I. SUMMARY

In this Order we uphold the Consumer Assistance Division's decision requiring Central Maine Power Company's (CMP) customer, Sherry Walker, to comply with the terms of the ELP payment arrangement established in January 1997.

II. BACKGROUND

On January 30, 1997, CMP customer Sherry Walker was placed on an Electric Lifeline Program (ELP) payment arrangement requiring monthly payments of \$148.00. Ms. Walker's past due amount was \$829.51 and her winter bills were between \$175.00-\$200.00.

On April 28, 1997, CMP reviewed the account and determined the arrangement was still appropriate. On July 29, 1997, CMP increased Ms. Walker's monthly co-payment to \$165.00 per month because her usage was greater than that estimated at the time of the original ELP arrangement.

On June 2, 1997, Ms. Walker complained to CAD that she was unable to maintain her payment arrangement. The CAD specialist reviewed the terms of the arrangement and determined that the arrangement was appropriate given her payment history, previous payment arrangements, ability to pay and the Commission's rules. CAD issued its decision on September 25, 1997, that Ms. Walker pay \$773.00 by October 14. Ms. Walker had made no payments after May 1997. Therefore, she owed \$148.00 for each of the months of June, July and August and \$164 for September and October.

On September 28, 1997, Ms. Walker filed a letter stating she had been unable to call the CAD during working hours and desired an opportunity to talk to a CAD specialist about her situation. On October 14, a CAD specialist spoke with Ms. Walker. On October 24, 1997, CAD issued a second decision on her complaint. After reviewing the history of her account, CAD found that the

facts in which the original ELP arrangement was made remained the same. Therefore, CAD required Ms. Walker to pay \$773.00 by November 4, 1997.

On October 27, 1997, Ms. Walker appealed CAD's decision to the Commission. We find that the terms of the original decision are reasonable. Therefore, Ms. Walker must pay \$773.00 by December 8, 1997 or CMP can begin its winter disconnection procedure.

Dated at Augusta, Maine this 2nd day of December, 1997.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Hunt

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.